

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PARC CONDOMINIUM ASSOCIATION	§	
	§	
VS.	§	CAUSE NO. _____
	§	
TRAVELERS CASUALTY AND SURETY	§	
COMPANY OF AMERICA	§	

**DEFENDANT TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant Travelers Casualty and Surety Company of America ("Travelers"), in the above-captioned cause, and files this Notice of Removal, and respectfully shows the Court as follows:

I. STATE COURT ACTION

1. This case was initially filed in the 281st Judicial District Court of Harris County, Texas. The state court action is styled Cause No. 2015-04628; *Parc Condominium Association vs. Travelers Casualty and Surety Company of America*; in the 281st Judicial District Court of Harris County, Texas.

II. PARTIES

2. Plaintiff Parc Condominium Association is the homeowners association for Parc IV and Parc V Condominiums in Harris County, Texas.

3. Defendant Travelers Casualty and Surety Company of America is a Connecticut corporation, having its principal place of business in Hartford, Connecticut.

III. JURISDICTION

5. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332. Further, this action is one that may be removed to this Court pursuant to the provisions of 28 U.S. C. §§ 1441 and 1446.

6. The action is a civil action between citizens of two different states within the meaning of 28 U.S.C. § 1332. Further, the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, as Plaintiff Parc Condominium Association is seeking not less than \$200,000 but no more than \$1,000,000, pursuant to Paragraph 2 of its Original Petition filed in state district court, and attached hereto as Exhibit B.

7. Plaintiff Parc Condominium Association is a non-profit corporation incorporated under the laws of the State of Texas, with its principal place of business in Harris County, Texas, and is thus a citizen of Texas. Defendant Travelers Casualty and Surety Company of America is incorporated under the laws of the State of Connecticut and with its principal place of business in Hartford, Connecticut and is thus a citizen of Connecticut.

IV. TIMELINESS

11. Travelers Casualty and Surety Company of America was served with Plaintiff's Original Petition on February 2, 2015. Thirty days has not elapsed since Travelers Casualty and Surety Company of America was served with process. As such, pursuant to 28 U.S.C. § 1446(b), this notice of removal is timely and proper.

V. ATTACHMENTS

12. Pursuant to 28 U.S.C. § 1446(a) and local rule LR CV-81, the following exhibits are attached hereto and are incorporated herein by reference:

Exhibit A: All Executed Process;

Exhibit B: Plaintiff's Original Petition;

Exhibit C: State Court Docket Sheet;

Exhibit D: Index of all matters being filed;

Exhibit E: List of All Counsel of Record.

The court has issued no orders in the State Court proceeding.

VI. CONDITIONS PRECEDENT

13. Travelers Casualty and Surety Company of America has tendered the filing fee required by the Clerk of the United States District Court for the Southern District of Texas, Houston Division, along with a Notice of Removal. A copy of this Notice of Removal is also being filed in the 281st Judicial District Court of Harris County, Texas, and all counsel of record is being provided with complete copies.

PRAYER

14. Removal of this lawsuit is proper because: (1) complete diversity exists between Defendant and Plaintiff; (2) Plaintiff's alleged claims exceed \$75,000; and (3) Defendant timely removed the case. For the above reasons, Defendant can remove this lawsuit.

WHEREFORE, PREMISES CONSIDERED, Defendant Travelers Casualty and Surety Company of America respectfully requests that the above action, Cause No. 2015-04628; *Parc Condominium Association vs. Travelers Casualty and Surety Company of America*; in the 281st Judicial District Court of Harris County, Texas be removed to this Court.

Respectfully submitted,

LITCHFIELD CAVO LLP

/s/ Melinda K. Bradley

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**ATTORNEYS-IN-CHARGE FOR
DEFENDANT, TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA**

CERTIFICATE OF SERVICE

In accordance with Rule 5 of the Federal Rules of Civil Procedure, a true and correct copy of the above and foregoing instrument was served on all counsel of record via facsimile on this 23rd day of February, 2015, and properly addressed as follows:

Dylan B. Russell
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Houston, Texas 77056

/s/ Melinda K. Bradley

Melinda K. Bradley